

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
ROMAN CATHOLIC DIOCESE OF ROCKVILLE :
CENTRE, NEW YORK, :
:

Plaintiff, :

21-CV-71 (JPC)

-v- :

ORDER

:
CERTAIN UNDERWRITERS AT LLOYDS, LONDON :
& CERTAIN LONDON MARKET COMPANIES, :

Defendant. :
:
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JOHN P. CRONAN, United States District Judge:

The Court grants the letter motion filed by Lexington Insurance Company seeking to withdraw the reference for the Diocese’s claims against it by joining the withdrawal by London Market Insurers (“LMI”). *See* Dkt. 59. The Diocese’s claims against Lexington relate only to LMI Policy SLC 5173, which lists Lexington along with various LMI as the insurers on the policy. *See id.*, Exh. B at 3. The claims against Lexington thus only involve the same policy as claims against LMI. *Cf. Roman Cath. Diocese of Rockville Ctr., New York v. Certain Underwriters at Lloyds, London & Certain London Mkt. Companies*, No. 21 Civ. 71 (JPC), 2021 WL 4027020, at *9 (S.D.N.Y. Sept. 3, 2021) (denying joinder when claims involved different policies). And in the complaint, the claims asserted by the Diocese group Lexington together with LMI. Dkt. 20, Exh. B (“Complaint”) ¶¶ 82-92, Exh. A at 1 (listing LMI as an insurer under SLC 5173).

Thus, because the rights of action asserted by the Diocese against Lexington are the same as those asserted against LMI, the Court grants Lexington's motion to join the case and withdraw the reference for the same reasons given in this Court's September 3, 2021 opinion. *See* Dkt. 50 at 8-18.

SO ORDERED.

Dated: October 15, 2021
New York, New York



JOHN P. CRONAN
United States District Judge